

Feb-3-1981

FILE: MINUTES

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, FEBRUARY 3, 1981
AT 8:30 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING: The meeting was called to order by Deputy Mayor Mitchell at 8:39 a.m. The meeting was recessed by Deputy Mayor Mitchell at 9:16 a.m. into executive session on pending litigation, 11th floor Conference Room. The meeting was reconvened by Deputy Mayor Mitchell at 10:33 a.m. with Mayor Wilson and Councilmembers Cleator, Williams, and Killea not present. The meeting was recessed by Deputy Mayor Mitchell at 11:05 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Mitchell at 2:09 p.m. The meeting was adjourned by Deputy Mayor Mitchell at 4:38 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-not present.

- (1) Councilmember Mitchell-present.
 - (2) Councilmember Cleator-present.
 - (3) Councilmember Golding-present.
 - (4) Councilmember Williams-present.
 - (5) Councilmember Schnaubelt-present.
 - (6) Councilmember Gotch-present.
 - (7) Councilmember Murphy-present.
 - (8) Councilmember Killea-present.
- Clerk-Mutascio (bb/jb)

Feb-3-1981 ITEM-1:

FILE: MINUTES

DESCRIPTION:

Clerk Mutascio called the roll:

Mayor Wilson-not present.

Councilmember Mitchell-present.

Councilmember Cleator-present.

Councilmember Golding-present.

Councilmember Williams-not present.

Councilmember Schnaubelt-present.

Councilmember Gotch-present.

Councilmember Murphy-present.

Councilmember Killea-present.

Feb-3-1981 ITEM-201:

FILE: MEET

DESCRIPTION:

Two Resolutions relative to AGREEMENTS with the San Diego Housing Commission:

Subitem-A: (R-81-1255)

Authorizing the execution of an AGREEMENT with the above for LOW-INCOME HOUSING SITE ACQUISITION PROJECT with funds from the 1980 COMMUNITY DEVELOPMENT BLOCK GRANT (Sixth Year Program) entitlement in the amount of \$799,976.

Subitem-B: (R-81-1256)

Authorizing the execution of an AGREEMENT with the above for LOW-INCOME HOUSING SITE ACQUISITION PROJECT with funds from the 1979 COMMUNITY DEVELOPMENT BLOCK GRANT (Fifth Year Program) entitlement in the amount of \$830,024.

COUNCIL ACTION:

(Tape location: A700-B130)

Subitem-A adopted as Resolution R-253548.

Subitem-B adopted as Resolution R-253549.

MOTION BY KILLEA TO ADOPT. Second by Murphy. Passed by the following vote:

Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-nay.

Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Feb-3-1981 ITEM-202:

FILE: MEET

DESCRIPTION:

(R-81-1342) Authorizing the execution of an AGREEMENT with the San Diego Housing Commission to make available to the Commission \$378,000 from FUND 18516, DEPARTMENT 5965, ORG. 6515, of the 1980 COMMUNITY DEVELOPMENT BLOCK

GRANT entitlement designated for site improvements to be used for LOW-INCOME HOUSING SITE IMPROVEMENTS PROJECT; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER \$378,000 from FUND 18516, DEPARTMENT 5965, ORG. 6508

to FUND 18516, DEPARTMENT 5965, ORG. 6515.

COUNCIL ACTION:

(Tape location: B130-157).

Adopted as Resolution R-253550.

MOTION BY KILLEA TO ADOPT. Second by Williams. Passed by the following vote:
Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-nay.
Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Feb-3-1981 ITEM-203:

FILE: MEET

DESCRIPTION:

(R-81-1343) Authorizing the execution of an AGREEMENT with the San Diego Housing Commission to make available to the Commission \$372,000 from Fund 18516, Department 5965, Org. No. 6508, of the 1980 Community Development Block Grant entitlement designated for site improvements to be used for low-income housing predevelopment planning costs project.

COUNCIL ACTION:

(Tape location: B157-183).

Adopted as Resolution R-253551.

MOTION BY KILLEA TO ADOPT. Second by Williams. Passed by the following vote:
Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-nay.
Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Feb-3-1981 ITEM-330:

FILE: STRT D-02191

DESCRIPTION:

Seven Resolutions relative to the improvement of CAMINO DEL RIO SOUTH, TEXAS STREET TO I-805 ASSESSMENT DISTRICT under the Improvement Act of 1913, Resolution of Intention R-252941. (DISTRICT-3.)

Subitem-A: (R-81-1136)

Adoption of a RESOLUTION OVERRULING PROTESTS ON RESOLUTION R-252941 of PRELIMINARY DETERMINATION AND OF INTENTION.

Subitem-B: (R-81-1137)

Adoption of a RESOLUTION FINDING AND DETERMINING that the public convenience and necessity require proposed ACQUISITIONS AND IMPROVEMENTS.

Subitem-C: (R-81-1138)

Adoption of a RESOLUTION ORDERING REDUCTION OF ASSESSMENTS.

Subitem-D: (R-81-1139)

Adoption of a RESOLUTION and ORDER adopting ENGINEER'S REPORT, CONFIRMING THE ASSESSMENT and ORDERING THE WORK AND ACQUISITIONS.

Subitem-E: (R-81-1140)

Adoption of a RESOLUTION AWARDDING SALE OF BONDS.

Subitem-F: (R-81-1141)

Adoption of a RESOLUTION of AWARD OF CONTRACT.

Subitem-G: (R-81-1142)

Adoption of a RESOLUTION DESIGNATING COLLECTION OFFICER.

COUNCIL ACTION:

(Tape location: C230-D580).

Continued to February 24, 1981, 10:00 a.m. Time Certain.

The hearing began 3:46 p.m. and halted at 4:37 p.m.

Councilmember Cleator left at 3:48 p.m.

Councilmember Golding left at 3:53 p.m.

Councilmember Golding entered at 3:56 p.m.

Councilmember Murphy left at 4:01 p.m.

Testimony in opposition by Attorney Jerry Dawson.

MOTION BY KILLEA TO CONTINUE TO FEBRUARY 24, 1981 AT 10:00 A.M. TIME CERTAIN

WITH AN ALTERNATE SPREAD PRESENTED AT THAT TIME FOR A DECISION BY COUNCIL.

Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-not present. Golding-yea. Williams-yea. Schnaubelt-not present. Gotch-yea.

Murphy-not present. Killea-yea. Mayor Wilson-not present.

Feb-3-1981 ITEM-331:

FILE: STRT J-2275

DESCRIPTION:

(R-81-1143) Establishing an UNDERGROUND UTILITY DISTRICT to be known and denominated as the CAMINO DEL RIO SOUTH (Texas Street to I-805) UNDERGROUND UTILITY DISTRICT. (DISTRICT-3.)

COUNCIL ACTION:

(Tape location: C230-D580).

Continued to February 24, 1981 at 10:00 a.m. time certain.

MOTION BY KILLEA TO CONTINUE TO FEBRUARY 24, 1981 AT 10:00 A.M. TIME CERTAIN

AT CITY MANAGER BLAIR'S REQUEST WITH AN ALTERNATE SPREAD PRESENTED AT THAT

TIME FOR A DECISION BY COUNCIL. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-not present. Golding-yea. Williams-yea.

Schnaubelt-not present. Gotch-yea. Murphy-not present Killea-yea. Mayor Wilson-not present.

Feb-3-1981 ITEM-332:

FILE: ZONE 2/3/81

DESCRIPTION:

REZONING a portion of LOT 45, RANCHO MISSION OF SAN DIEGO, MAP-330 (approximately .807 acres), located south of Camino del Rio South between Scheidler Way and Ward Road, in the East Mission Valley Community Plan area, from ZONE R-1-40 (Hillside Review) to ZONE CO. (Case-5-80-076. DISTRICT-5.)

Subitem-A: (R-81-1271)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-80-08-18 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-81-165)

INTRODUCTION of an ORDINANCE for CO Zoning.

COUNCIL ACTION:

(Tape location: A042-384)

Subitem-A adopted as Resolution R-253552.

Subitem-B introduced, to be adopted February 17, 1981.

Hearing began at 8:40 a.m. and halted at 9:04 a.m.

Testimony in favor by Jerry Dawson.

Testimony in opposition by Paul E. Robinson.

Councilmember Killea entered at 8:42 a.m.

Councilmembers Cleator and Golding entered at 8:43 a.m.

Councilmember Schnaubelt entered at 8:44 a.m.

MOTION BY MURPHY TO CLOSE HEARING, ADOPT SUBITEM (A) AND INTRODUCE SUBITEM

(B). Second by Cleator. Passed by the following vote: Mitchell-yea.

Cleator-yea. Golding-yea. Williams-nay. Schnaubelt-yea. Gotch-yea.

Murphy-yea. Killea-yea. Mayor Wilson-not present.

Feb-3-1981 ITEM-333:

FILE: ZONE 2/3/81

DESCRIPTION:

REZONING LOTS A through F, inclusive, BLOCK 260, HORTON'S ADDITION LOCKLING (approximately .6 acres), located on the west side of Sixth Avenue between Ivy and Juniper Streets, in the Uptown Community Plan Area, from ZONE C to ZONE R-4. (Case-12-80-1. DISTRICT-8.)

Subitem-A: (R-81-1244)

Adoption of a RESOLUTION certifying that the information contained in

ENVIRONMENTAL NEGATIVE DECLARATION END-79-10-04 and the FIRST AMENDMENT

thereto, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration and the first amendment thereto, have been reviewed and considered by the Council.

Subitem-B: (O-81-161)

INTRODUCTION of an ORDINANCE for R-4 Zoning.

COUNCIL ACTION:

(Tape location: A620-700)

Subitem-A adopted as Resolution R-253553.

Subitem-B introduced, to be adopted February 17, 1981.

Hearing began at 10:35 a.m. and halted at 10:41 a.m.

Councilmember Williams entered at 10:37 a.m.

Councilmember Killea entered at 10:38 a.m.

Councilmember Cleator entered at 10:40 a.m.

MOTION BY GOTCH TO CLOSE HEARING, ADOPT SUBITEM (A) AND INTRODUCE SUBITEM

(B). Second by Killea. Passed by the following vote: Mitchell-yea.

Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea.

Murphy-yea. Killea-yea. Mayor Wilson-not present.

Feb-3-1981 ITEM-334:

FILE: PERM PRD-20-199-0 & SUBD Fremont Heights

DESCRIPTION:

(Continued from the Meeting of December 9, 1980 at the applicant's request.)

APPEAL of ROBERT BOWLUS and DAVID SNODGRASS, from the decision of the PLANNING

COMMISSION in DENYING: 1 - PLANNED RESIDENTIAL DEVELOPMENT PRD-20-199-0 to

construct a one single-family detached unit and modify one existing dwelling

to create a one-car garage on .34 acres; and 2 - PRELIMINARY PARCEL MAP

PM-79-487 which proposes a two-parcel map. The subject property is located at

the southwest corner of Whitman and Hortensia Streets, in the R-1-5 (Hillside

Review) ZONE, within the boundaries of the Uptown Community Plan and is more

particularly described as a portion of LOT M, FREMONT HEIGHTS, MAP-1470.

(PM-79-487 and PRD-20-199-0. DISTRICT-2.)

Subitem-A: (R-81-)

Adoption of a RESOLUTION certifying that the information contained in

ENVIRONMENTAL NEGATIVE DECLARATION END-80-03-43 has been completed in compliance with the California Environmental Quality Act of 1970 and State

guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-81-)

Adoption of a RESOLUTION granting or denying the appeal and the permit with appropriate findings to support Council action.

Subitem-C: (R-81-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-79-11-03 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-D: (R-81-)

Adoption of a RESOLUTION granting or denying the appeal and the map with appropriate findings to support Council action.

COUNCIL ACTION:

(Tape location: A112-C118)

Subitem-A adopted as Resolution R-253560.

Subitem-B adopted as Resolution R-253561.

Subitem-C adopted as Resolution R-253562.

Subitem-D adopted as Resolution R-253563.

Hearing began at 2:10 p.m. and halted at 3:38 p.m.

Councilmember Williams left at 2:36 p.m.

Councilmember Williams entered at 2:40 p.m.

Motion by Williams to extend the time for the proponents to seven minutes.

Second by Golding. Yeas-1, 2, 3, 4, 5, 6, 7, 8. Nays-None. Not present-Mayor.

Testimony in favor by John Thelan, Dave Snodgrass, Robert Bowlus, Katherine O'Hara, Rosemary Stepner, Kathleen Marlcham, Bruce Engelhorn, Marilyn Richey, William Charman and Steve McGill.

Testimony in opposition by Louis M. Karp, Paul Blume, George Scott, Ed Deverill, Arlene Van de Wetering and Clara Breed.

MOTION BY GOTCH TO CLOSE HEARING, ADOPT SUBITEMS (A) AND (C), GRANT THE APPEAL

AND PERMIT SUBITEM (B), AND GRANT THE APPEAL AND MAP SUBITEM (D).

Second by

Cleator. Failed by the following vote: Mitchell-nay. Cleator-yea.

Golding-nay. Williams-nay. Schnaubelt-yea. Gotch-nay. Murphy-nay.

Killea-na

Mayor Wilson-not present.

Feb-3-1981 ITEM-335:

FILE: STRT D-2226

DESCRIPTION:

(Continued from the Meeting of December 15, 1980 at Councilman Lowery's request.) Four Resolutions relative to improving GOLDFINCH STREET between its southerly termination and Spruce Street: (1911 Street Improvement Act.) (Middletown Community area. DISTRICT-8.)

Subitem-A: (R-81-672)

CERTIFYING that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-79-02-35 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines and that said report has been reviewed and considered by the Council.

Subitem-B: (R-81-673)

Adoption of a Resolution ORDERING the WORK and directing NOTICE INVITING BIDS.

Subitem-C: (R-81-)

Adoption of an 8_vote RESOLUTION OF FEASIBILITY.

Subitem-D: (R-81-1072)

Adopting those findings made with respect to ENVIRONMENTAL IMPACT REPORT EIR-79-02-35 as its findings, pursuant to California Public Resources Code Section 21081.

COUNCIL ACTION:

(Tape location: C120-230)

Continued to February 17, 1981.

Testimony by William Smith in opposition to the continuance.

Councilmember Schnaubelt left the meeting at 3:39 p.m.

MOTION BY KILLEA TO CONTINUE TO FEBRUARY 17, 1981 AT CITY ATTORNEY'S REQUEST

TO DETERMINE IF FINDINGS ARE ADEQUATE ENOUGH TO CERTIFY TO THE CITY COUNCIL.

Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea.

Golding-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Murphy-yea.

Killea-yea. Mayor Wilson-not present.

Feb-3-1981 ITEM-S501:

FILE: MEET

DESCRIPTION:

Matter of a HIRING FREEZE. (Initiated by Councilman Schnaubelt.)

COUNCIL ACTION:

(Tape location: A420-512).

Continued to February 10, 1981.

MOTION BY SCHNAUBELT TO CONTINUE TO TUESDAY, FEBRUARY 10, 1981, AT MAYOR

WILSON'S REQUEST WITH THE CONDITION THAT CITY MANAGER BLAIR REVIEW THE ITEM

AND REPORT BACK TO COUNCIL. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Feb-3-1981 ITEM-S502:

FILE: MEET

DESCRIPTION:

(R-81-1401) Authorizing the CITY MANAGER to SOLICIT PROPOSALS for an AGREEMENT

to prepare an ECONOMIC ANALYSIS of the SKYLINE/PARADISE HILLS/SOUTH BAY TERRACES PLANNING AREA and portions of the SOUTHEAST PLANNING AREA to determine the best site or sites for COMMERCIAL DEVELOPMENT; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER \$20,000 from the UNALLOCATED RESERVE

to hire a consultant firm to perform the analysis for the above; authorizing the CITY MANAGER and PLANNING DIRECTOR to execute said AGREEMENT upon evaluation of the proposals.

COUNCIL ACTION:

(Tape location: A512-620).

Adopted as Resolution R-253554.

MOTION BY KILLEA TO ADOPT. Second by Williams. Passed by the following vote:

Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Feb-3-1981 ITEM-S503:

FILE: MEET

DESCRIPTION:

(R-81-1396) Authorizing the San Diego Housing Commission to ACQUIRE the property at 4720 34th Street and the property at 4750 35th Street for the construction of PUBLIC HOUSING for RENTAL to LOW INCOME FAMILIES; authorizing the CITY MANAGER, subsequent to appropriate authorization from the Department of Housing and Urban Development, to RELEASE \$170,000 from the Sixth Community Development Block Grant entitlement year, Fund 18516, Dept. 5972, Org. 7202 (Low-Income Housing Site Acquisition Project), for purchasing 4720 34th

Street - \$85,000 and 4756 35th Street - \$85,000. (DISTRICT-3.)

COUNCIL ACTION:

(Tape location: B183-372).

Adopted as Resolution R-253555.

MOTION BY WILLIAMS TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-nay.

Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

ITEM-ES-1:

FILE:

DESCRIPTION:

(R-81-1387) A Resolution adopted by the City Council in Closed Session on February 3, 1981:

That the City Manager be and he is hereby authorized and empowered to pay the total sum of \$22,255.03 in the satisfaction of the judgment of the San Diego Superior Court awarding attorney's fees and costs to the Legal Aid Society of San Diego, Inc., in the case of Coalition for Fair Rent vs. Charles Abdelnour, City Clerk, for the City of San Diego. Further authorizing transfer within the General Fund No. 100 the sum of \$22,255.03 from Unallocated Reserve 605 to Allocated Reserve 901 to be used for the above stated purpose.

COUNCIL ACTION:

Adopted as Resolution R-253556.

ITEM-ES-2:

FILE:

DESCRIPTION:

(R-81-1403) A Resolution adopted by the City Council in Closed Session on February 3, 1981:

Authorizing the City Manager to pay the total sum of \$13,500.00 in settlement of each and every claim against the City, its agents and employees, resulting from personal injury to James Sepin; authorizing the City Auditor and Comptroller to issue one check in the amount of \$13,500.00 to James Sepin and his attorney James E. McElroy in full settlement of all claims.

COUNCIL ACTION:

Adopted as Resolution R-253557.

ITEM-ES-3:

FILE:

DESCRIPTION:

(R-81-1337) A Resolution adopted by the City Council in Closed Session on February 3, 1981:

Authorizing the City Manager to pay the total sum of \$9,959.00 in settlement of each and every claim against the City, its agents and employees, resulting from personal damage to James Smith; authorizing the City Auditor and Comptroller to issue one check in the amount of \$9,959.00 to James Smith in

full settlement of all claims.
COUNCIL ACTION:
Adopted as Resolution R-253558.

Feb-3-1981
ITEM-UC-3:

FILE: MEET
DESCRIPTION:

(R-81-1420) A Resolution presented to the City Council with UNANIMOUS CONSENT:
A Resolution of Intention to make changes and modifications in the assessment
filed pursuant to Resolution of Preliminary Determination and of Intention No.
R-151941 adopted by this Council on October 27, 1980.

COUNCIL ACTION:

(Tape location: D360-390).

Adopted as Resolution R-253564.

MOTION BY KILLEA TO ADOPT. Second by Gotch. Passed by the following vote:
Mitchell-yea. Cleator-not present. Golding-yea. Williams-yea.
Schnaubelt-not present. Gotch-yea. Murphy-not present. Killea-yea. Mayor
Wilson-not present.

Feb-3-1981 ADJOURNMENT:

FILE: MINUTES
DESCRIPTION:

By common consent the meeting was adjourned by Deputy Mayor Mitchell at 4:38
p.m.

FILE: MEET
DESCRIPTION:

(Continued from the Meetings of January 12 and 26, 1981 at the Deputy
Mayor's request.) Matter of DISCUSSION relating to the OPERATION of the
PARAMEDIC PROGRAM. (See City Manager Reports CMR-80-573, CMR-80-647 and
Committee Consultant Analysis PSS-80-16.)

COMMITTEE ACTION:

Reviewed by PSS on 11/19/80. Districts 1, 2, 6 and 8 voted to forward to
full Council with no recommendation. District 3 voted nay.

COUNCIL ACTION: (Tape location: none).

By common consent the item will be continued to Tuesday, February 10,
1981.